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Attorneys for Defendants

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

SCOTT STERLING, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

v.

IRIS ENERGY LIMITED, DANIEL
ROBERTS, WILLIAM ROBERTS,
BELINDA NUCIFORA, DAVID
BARTHOLOMEW, CHRISTOPHER
GUZOWSKI, and MICHAEL ALFRED,

Defendants.

Civil Action No.: 2:22-cv-07273-JMV-MAH

Document Electronically Filed

**DECLARATION OF
EDMUND POLUBINSKI III, ESQ. IN
SUPPORT OF APPLICATION FOR
ADMISSION *PRO HAC VICE***

I, **EDMUND POLUBINSKI III, ESQ.**, of full age, make this application to appear as counsel *pro hac vice* in the above-captioned action, and declare as follows:

1. I am a Partner in the law firm of Davis Polk & Wardwell LLP, 450 Lexington Avenue, New York, New York 10017. I am fully familiar with the facts and circumstances surrounding this litigation, and I submit this Declaration in support of the application for my admission *pro hac vice* pursuant to Local Civil Rule 101.1(c)(3).

2. My law firm has been retained as counsel for Defendants Iris Energy Limited, Daniel Roberts, William Roberts, Belinda Nucifora, David Bartholomew, Christopher Guzowski, and Michael Alfred (collectively, “Defendants”) in this litigation. The issues raised in this litigation involve areas with which I have experience in the law.

3. Attached hereto as Exhibit A is a true and correct table that identifies, to the best of my knowledge, my bar admissions, the year in which I was admitted to each bar, and, for each bar, the name and address of the official or office maintaining the roll of its members.

4. I am not under suspension or disbarment by any court and have never been subjected to any disciplinary action by any court or governing body.

5. I am ineligible for plenary admission to the bar of this Court pursuant to Local Civil Rule 101.1(b).

6. I am willing to submit to the jurisdiction of this Court and to comply with all of its rules and procedures. To ensure my familiarity with these regulations I have reviewed the local rules of this Court.

7. I have never been convicted of a felony crime, censured, suspended, disciplined, or disbarred by any court, nor are there any disciplinary or contempt proceedings involving me pending before any court, nor have I been denied admission to any court during the last five years.

8. I agree to abide by the ethical standards governing the practice of law in this Court pursuant to the New Jersey State Lawyer’s Code of Professional Responsibility.

9. Pursuant to the rules of this Court, Samuel I. Portnoy, Esq., or another member of the law firm Gibbons P.C., who is a member in good standing of the bars for the State of New Jersey and the United States District Court for the District of New Jersey, will review and sign all

pleadings, briefs, and other papers filed with the Court on behalf of Defendants, and will be present for all appearances before the Court unless previously excused from appearing by the Court.

10. I agree to strictly observe the dates fixed for scheduling conferences, motions, briefs, pre-trial conferences, trial or other proceedings, to submit to the jurisdiction of this Court for the purposes of sanctions, discipline, or other such action as the Court may deem proper, and to otherwise abide by all the terms and conditions of Local Civil Rule 101.1(c).

11. Pursuant to Local Civil Rule 101.1(c)(2), I agree to pay, or cause to be paid, the annual fee required by the New Jersey Lawyers' Fund for Client Protection as provided by New Jersey Court Rule 1:28-2(a) and as directed by the Trustees of the Fund. I further agree that, pursuant to Local Civil Rule 101.1(c)(3), I shall pay, or cause to be paid, \$150.00 to the Clerk of the United States District Court for the District of New Jersey.

12. In light of the foregoing, I respectfully request on behalf of Defendants that I be admitted *pro hac vice* for the purpose of representing them in this matter in association with Gibbons P.C.

I declare under penalty of perjury that the foregoing is true and accurate. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

A handwritten signature in blue ink, appearing to be 'E. Polubinski III', written over a horizontal line.

Edmund Polubinski III, Esq.

Dated: January 23, 2023

EXHIBIT A

Bar Admissions

Bar	Year of Admission	Name and Address of the Official or Office Maintaining the Bar's Roll
State of New York	2000	New York State Supreme Court Appellate Division, First Department 27 Madison Avenue New York, NY 10010
Commonwealth of Massachusetts	2000	Massachusetts Board of Bar Overseers, Attorney Registration Department, 99 High Street, Boston, Massachusetts 02110
U.S. Supreme Court	2008	Clerk, Supreme Court of the United States Attn: Admissions Office 1 First Street, N. E. Washington, D. C. 20543-0001
U. S. Court of Appeals, D.C. Circuit	2018	Clerk of Court U. S. Court of Appeals for the D.C. Circuit E. Barrett Prettyman U.S. Courthouse 333 Constitution Ave., N.W. Washington, D.C. 20001
U. S. Court of Appeals, First Circuit	2012	Office of Attorney Admissions, United States Court of Appeals for the First Circuit, 1 Courthouse Way, Boston, Massachusetts
U.S. Court of Appeals, Second Circuit	2005	Clerk, US Court of Appeals U.S. Court of Appeals for the Second Circuit Attorney Admissions Thurgood Marshall United States Courthouse 40 Foley Square New York, NY 10007
U.S. Court of Appeals, Third Circuit	2009	Attorney Admissions, Office of the Clerk at the United States Court of Appeals for the Third Circuit, 21400 U.S. Courthouse, 601 Market Street, Philadelphia, P.A. 19106
U.S. Court of Appeals, Sixth Circuit	2014	Office of the Clerk U.S. Court of Appeals for the Sixth Circuit 540 Potter Stewart U.S. Courthouse 100 E. Fifth Street Cincinnati, Ohio 45202-3988
U.S. Court of Appeals, Ninth Circuit	2010	The Attorney Admissions at the U.S. Court of Appeals, P.O. Box 1939, 95 Seventh Street, San Francisco, California 94119-3939
U.S. Court of Appeals, Tenth Circuit	2018	Clerk of Court U.S. Court of Appeals, Tenth Circuit

		Byron White Court House 1823 Stout Street Denver, CO 80257
U.S. Court of Appeals, Eleventh Circuit	2016	Attorney Admissions Clerk, U.S. Court of Appeals, Eleventh Circuit, 56 Forsyth Street, N.W., Atlanta, GA 30303
U.S. District Court, Colorado	2017	Office of the Clerk Alfred A. Arraj Courthouse 901 19th St. Denver, Colorado, 80294
U.S. District Court, N.D. Illinois	2021	Clerk of Court United States District Court Northern District of Illinois 219 S. Dearborn Street, Room 2050 Chicago, IL 60604
U.S. District Court, Massachusetts	2004	United States District Court for the District of Massachusetts Clerk's Office 1 Courthouse Way, Suite 2300 Boston, Massachusetts 02210
U.S. District Court, E.D. New York	2001	Clerk of Court United States District Court Eastern District of New York 225 Cadman Plaza East Brooklyn, NY 11201
U.S. District Court, S.D. New York	2001	Clerk of Court United States District Court 500 Pearl Street, New York, NY 10007, Attention: Attorney Services
U.S. District Court, S.D. Texas	2022	Clerk of Court United States District Court 515 Rusk Street Houston, TX 77002